

From: [Anderson, Israel](#)
To: [Phillips, Pam](#); [Crossland, Ronnie](#); [Banipal, Ben](#); [Petersen, Chris](#); [Villarreal, Chris](#); [Webster, Susan](#); [Smith, Monica](#); [Moore, Gary](#)
Subject: FW: Request for Assistance
Date: Friday, October 7, 2016 9:05:35 AM

Pam,
Jim Blackburn identifies the groups that he is requesting information on behalf of in the second paragraph of this document. In the third paragraph he mentions two schools that are adjacent to the site along with churches and other individuals. I'll bring this document to our meeting as well as the responses that Gary Moore drafted.

From: Jim Blackburn [mailto:jbb@blackburncarter.com]

Sent: Wednesday, September 14, 2016 4:26 PM

To: Anderson, Israel

Cc: Blanco, Arturo ; Paul Charles ; Tejada, Matthew

Subject: Re: Request for Assistance

Thank you

Sent from Blackburn's iPhone

On Sep 14, 2016, at 4:24 PM, Anderson, Israel <Anderson.Israel@epa.gov> wrote:

Jim,
I received your document with attachments and have farmed it out to appropriate EPA Superfund staff and to TCEQ's VCP staff and management team. I'll get back to you as soon as I get some answers.

From: Jim Blackburn [<mailto:jbb@blackburncarter.com>]

Sent: Wednesday, September 14, 2016 3:50 PM

To: Anderson, Israel <Anderson.Israel@epa.gov>

Cc: Blanco, Arturo <Blanco.Arturo@epa.gov>; Paul Charles <pcharles@nrcdc.org>;
Tejada, Matthew <Tejada.Matthew@epa.gov>

Subject: Request for Assistance

Request to EPA Region 6 Office of Environmental Justice For Assistance Regarding the CES Environmental Services Site

This e-mail is a request for assistance to the environmental justice office of EPA Region 6 on behalf of the community surrounding and near to the CES Environmental Services site located at 4904 Griggs Road in Houston. This site was subject to a clean-up by the EPA Superfund Division with participation by the Texas Commission on Environmental Quality (TCEQ) and the City of Houston. After a +/- \$2 million clean-up, the site became a participant in the Voluntary Clean-up Program (VCP) of the TCEQ and the community has not received any information or updates regarding the situation at this site. By this e-mail, a public meeting to discuss and assist the public in understanding the issues arising from this site is respectfully requested.

Jim Blackburn, a volunteer environmental lawyer, is making this request on behalf of the Southeast Houston Transformation Alliance (SEHTA), a coalition of eleven civic clubs, and the Neighborhood Recovery Community Development Corporation(NRCDC), a non-

profit housing and social services provider whose mission is to revitalize defined target areas in Houston, to encourage economic development and investment, to effectively provide and encourage the development of housing for persons of low and moderate income, and to work with other private and public entities.

These entities along with two adjacent schools, churches and individuals living near the site have not been informed of the status of this site since the EPA's emergency action was completed in 2014-2015. Since that time, the site has been referred to the VCP group at TCEQ, and the community has heard nothing more, even though published documents indicate contamination in soils in residential areas adjacent to the site, groundwater contamination that has not been fully investigated on site and major drainage areas that likely were subjected contaminated runoff and have not been sampled according to reported data. These groups and residences are requesting a public meeting with the goal of having the following questions answered.

1. What is the current status of this site?
2. Who is in charge?
3. What has been done for remediation since EPA left the site?
4. What is proposed to be done with this site in the future to further clean-up this site and remove contaminants both on-site and off-site?
5. Why did EPA leave from the site?
 - a. Did the money run out?
 - b. Did EPA consider this site remediated?
 - c. Does EPA have concerns about this site from a toxicological standpoint?
 - d. Why did EPA not make a final report to the community regarding the safety of this site and surrounding areas?
6. A map and chart attached to this document (see attachments a and b) from the VCP application shows that there are levels of heavy metals on residential property adjacent to this site.
 - a. Has there been any further off-site testing beyond that identified in the attached document?
 - b. Did EPA make any assessment of the potential health hazard associated with this off-site contamination?
 - c. If so, was this written up and released to the public?
 - d. If not, why not?
7. A map attached to this document (see attachment c) identifies groundwater contamination within the site and a delineated groundwater plume. However, there appears to be only two wells within the plume and no other testing wells near this plume. In the APAR Summary dated March 31, 2016, it is stated that the groundwater contamination

does not extend off-site. Would someone explain how the conclusion that there is no off-site groundwater contamination is warranted when there are no “clean” wells to delineate the edge of the plume?

8. Within the TCEQ’s VCP program, the responsible party is preparing an Affected Property Assessment Report (APAR). According to the APAR Summary document submitted March 31, 2016 to the TCEQ, this APAR is currently being reviewed with the goal of approval by TCEQ.
 - a. What is the purpose of an APAR?
 - b. What is involved in the approval of an APAR?
 - c. Has the APAR been approved by the TCEQ?
 - d. Was the public involved, or can the public be involved, in the APAR approval process?
9. It is further identified in this March 31, 2016, document that further work is to be undertaken by the applicant after the approval of the APAR in the form of a Response Action Plan (RAP). It is further stated in that document that the RAP will propose remedial activities for the site.
 - a. What is the process of an RAP?
 - b. Has the RAP been agreed to at this time?
 - c. Will the public be involved in the design and approval of the RAP?
 - d. If so, how?
 - e. If not, why not?
 - f. Is there any limit to the scope of remediation that may be required in the RAP?
10. From published reports, it appears that vandals turned over drums and other storage devices and spilled contaminants within the CES property. Subsequent rains caused the contaminants to run-off the property and into adjacent storm drains, watercourses and property. There does not appear to be any testing on Kuhlman Gully, an open watercourse that drains the site or other overland pathways.
 - a. Is there any plan to undertake such testing in the future?
 - b. If so, when?
 - c. If not, why not?
11. Would EPA or TCEQ please provide some qualified toxicologist to discuss the results from the off-site testing that has been done to date?
12. Would EPA or TCEQ please provide some qualified toxicologist to discuss the results from on-site testing that has been done to date?
13. Would someone with EPA or TCEQ please provide some information about the health issues associated with

developing residential properties adjacent to the CES
Environmental Services site?

14. Would you please provide a list of all identified Potentially Responsible Parties (PRPs) at the site?
 - a. Have all of these parties been contacted by either EPA and/or TCEQ?
 - b. Is Lubrizoil the only PRP that is funding the clean-up?
 - c. Has a meeting been held by EPA and/or TCEQ with any of the other PRPs besides Lubrizoil?
 - d. Who is the best contact for Lubrizoil?
 - e. Is there anyone monitoring the website for the CES Environmental Services site? Efforts to communicate to the listed email have led to no response.

These questions are not necessarily exhaustive. They have been provided at the request of EPA to assist them in understanding community concerns and to assist them in compiling information in support of a request for a public briefing in the affected community. Thank you. Jim Blackburn.